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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

9-25-02

Attorney Docket No. 074273/0181

Applicant: Takahiro KUMURA

Title: SPECTRUM SPREAD COMMUNICATION SYNCHRONIZATION
ESTABLISHING APPARATUS USING FREQUENCY OFFSET
AND RECEIVER WITH THE SAME

Serial No.: 09/779,566

Filed: February 9, 2001

Examiner: Unassigned

Art Unit: 2631

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that item of information A2 listed on an accompanying PTO/SB/08 and contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Items of information A1 and A3 are counterparts to item of information A2.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Korean Office Action that issued July 30, 2002 with respect to a counterpart Korean patent application is provided below.

"Reason

The invention described in the claims of the present application could have been invented easily, based on the inventions indicated below, prior to the submission of the present application by an individual having a ordinary knowledge of the field of technology containing the invention, and thus the invention according to the claims in the present application is ineligible to receive patent protection based on the stipulations of Article 29,

Section 2 of the Patent Law.

Annotation

All of the claims in the present application describe a device and method for achieving synchronization that corrects one phase of electric power voltages, etc., and signals that correspond to a correlation value using frequency deviations, and describe a receiver using said method.

The cited invention describes a satellite receiver system that includes a coarse tuning element and a fine tuning element in a satellite system receiver that locks onto a Doppler-shifted radio signal and provides frequency tracking.

When one compares the present invention and the reference invention, the two are similar in the process that compensates for the frequency deviation from the received signal after estimating the frequency deviation included in the received signal. However, it can be said that a distinguishing feature of the present invention is that this type of frequency deviation compensation technology is applied to a synchronizing device in a spread-spectrum communication system; however, the core of the mechanism for providing compensation for the carrier frequency deviation of the received signal is the same in both, and so there is no difficulty in structuring the application process described above, and there is no particular difference between the effect obtained through this application of the technology and the effects had conventionally.

Consequently, the present invention could have been invented with ease by an individual in the industry based on the aforementioned cited invention. (Article 29, Section 2 of the Patent Law)."

Applicant's statements regarding the Korean Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Korean Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

September 23, 2002
Date

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